

AMENDED IN ASSEMBLY AUGUST 19, 2016

AMENDED IN ASSEMBLY FEBRUARY 1, 2016

AMENDED IN SENATE JUNE 2, 2015

AMENDED IN SENATE APRIL 7, 2015

AMENDED IN SENATE MARCH 18, 2015

SENATE BILL

No. 62

**Introduced by Senators ~~Pavley, Block, and Huff~~ *Hill and Pavley*
(~~Coauthors: Senators Allen, Hancock, Hertzberg, Vidak, and~~
~~Wieckowski~~)**

(~~Coauthors: Assembly Members Chu, Dodd, Cristina Garcia, Olsen,
and Rodriguez~~)

December 30, 2014

~~An act to amend Sections 69612, 69612.5, 69613, 69613.1, and 69615.4 of, to add Section 69615.9 to, to repeal Section 69613.8 of, and to repeal and add Section 69613.7 of, the Education Code, relating to student financial aid. An act to add and repeal Section 309.8 of the Public Utilities Code, relating to the Public Utilities Commission.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 62, as amended, ~~Pavley~~ *Hill*. ~~Student financial aid: Assumption Program of Loans for Education: Governor's Teaching Fellowships Program. Public Utilities Commission: Office of the Safety Advocate.~~

Under existing law, the Public Utilities Commission has regulatory authority over public utilities and can establish its own procedures, subject to statutory limitations or directions and constitutional requirements of due process.

This bill would, until January 1, 2020, establish within the commission the Office of the Safety Advocate to advocate for the continuous, cost-effective improvement of the safety management and safety performance of public utilities. The bill would require the office to promote public utility safety by: (1) recommending improvements to the commission's safety management policy and procedures and its safety culture; (2) advocating for risk-informed, cost-effective public utility safety management and infrastructure improvements and for the transparency of safety information; and (3) informing the official record on safety-related risks in applicable commission proceedings and assisting the commission in its efforts to hold public utilities accountable for their safe operation. The bill would authorize the office to compel the production or disclosure of any information it deems necessary to perform its duties from any public utility, any affiliate of a public utility, or specified contractors of a public utility. The bill would require the office to annually provide specified information to the chairpersons of the fiscal committees of each house of the Legislature and to the Joint Legislative Budget Committee.

Under existing law, a violation of the Public Utilities Act or an order or direction of the commission is a crime.

Because this bill would authorize the office to compel specified entities to produce or disclose certain information, this bill would impose a state-mandated local program by expanding the definition of a crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~Existing law establishes the Assumption Program of Loans for Education, administered by the Student Aid Commission, under which any person enrolled in a participating institution of postsecondary education, or any person who agrees to participate in a teacher trainee or teacher internship program, is eligible to enter into an agreement for loan assumption, to be redeemed pursuant to a prescribed procedure upon becoming employed as a teacher if he or she satisfies certain conditions.~~

~~This bill would, among other things, require a program participant to teach in a teaching field with a critical shortage of teachers and to demonstrate financial need, revise the information that the~~

~~Superintendent is required to furnish to the commission annually regarding the program, and make conforming changes. The bill would require the program to continue to be implemented as it read on January 1, 2015, for specified purposes relating to loan assumption agreements entered into before that date.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 309.8 is added to the Public Utilities
2 Code, to read:
3 309.8. (a) There is hereby established within the commission
4 the Office of the Safety Advocate to advocate for the continuous,
5 cost-effective improvement of the safety management and safety
6 performance of public utilities.
7 (b) The office shall promote public utility safety by doing all of
8 the following:
9 (1) Recommending improvements to the commission's safety
10 management policy and procedures and its safety culture.
11 (2) Advocating, as a party to commission proceedings and on
12 behalf of the interests of public utility customers, for risk-informed,
13 cost-effective public utility safety management and infrastructure
14 improvements and for the transparency of safety information,
15 including, but not limited to, information relating to past
16 performance.
17 (3) Informing the official record on safety-related risks in
18 applicable commission proceedings and assisting the commission
19 in its efforts to hold public utilities accountable for their safe
20 operation.
21 (c) The office may compel the production or disclosure of any
22 information it deems necessary to perform its duties from any
23 public utility, any affiliate of a public utility, or any contractor of
24 a public utility undertaking work on behalf of the public utility
25 that pertains to the safety of the public utility's system. An objection
26 to a production or disclosure request shall be decided in writing
27 by the assigned commissioner or by the president of the
28 commission, if there is no assigned commissioner.
29 (d) On or before January 10 of each year, the office shall
30 provide to the chairpersons of the fiscal committees of each house

1 of the Legislature and to the Joint Legislative Budget Committee
2 all of the following information:

3 (1) The number of personnel years used by the office during the
4 prior fiscal year.

5 (2) The moneys expended by the office in the prior fiscal year,
6 the estimated moneys to be expended by the office in the current
7 fiscal year, and the moneys proposed for appropriation for the
8 office in the following budget year.

9 (3) Workload standards and measures for the office.

10 (e) This section shall remain in effect only until January 1, 2020,
11 and as of that date is repealed, unless a later enacted statute, that
12 is enacted before January 1, 2020, deletes or extends that date.

13 SEC. 2. No reimbursement is required by this act pursuant to
14 Section 6 of Article XIII B of the California Constitution because
15 the only costs that may be incurred by a local agency or school
16 district will be incurred because this act creates a new crime or
17 infraction, eliminates a crime or infraction, or changes the penalty
18 for a crime or infraction, within the meaning of Section 17556 of
19 the Government Code, or changes the definition of a crime within
20 the meaning of Section 6 of Article XIII B of the California
21 Constitution.

22 SECTION 1. ~~Section 69612 of the Education Code is amended~~
23 ~~to read:~~

24 ~~69612. (a) The Legislature finds and declares all of the~~
25 ~~following:~~

26 ~~(1) The growing shortage of high-quality teachers is most serious~~
27 ~~in particular subject areas, partly due to the shortage of students~~
28 ~~in these fields who enter the teaching profession.~~

29 ~~(2) Many school districts have difficulty recruiting and retaining~~
30 ~~high-quality teachers for pupils with special needs, for schools~~
31 ~~serving rural areas or large populations of pupils from low-income~~
32 ~~and linguistic minority families, and for schools with a high~~
33 ~~percentage of teachers holding emergency-type permits.~~

34 ~~(3) The rising costs of higher education, coupled with a shift in~~
35 ~~available financial aid from scholarships and grants to loans, make~~
36 ~~the availability of financial aid and loan repayment assistance~~
37 ~~options an important consideration in a student's decision to pursue~~
38 ~~a postsecondary education.~~

39 ~~(b) It is, therefore, the intent of the Legislature that the~~
40 ~~Assumption Program of Loans for Education be designed to~~

1 provide ~~outstanding~~ ~~postsecondary~~ ~~students,~~ ~~particularly~~
2 ~~economically disadvantaged students,~~ ~~with the assurance of~~
3 ~~financial assistance to encourage them to complete postsecondary~~
4 ~~education programs leading to teaching credentials, and to seek~~
5 ~~employment as teachers in designated subject-matter shortage~~
6 ~~areas and self-contained classrooms or in schools serving a large~~
7 ~~population of pupils from low-income families or schools with a~~
8 ~~high percentage of teachers holding emergency-type permits.~~

9 SEC. 2. ~~Section 69612.5 of the Education Code is amended to~~
10 ~~read:~~

11 69612.5. For purposes of this article, the following terms have
12 the following definitions:

13 (a) ~~“Eligible institution” means a postsecondary institution that~~
14 ~~is determined by the Student Aid Commission to meet both of the~~
15 ~~following requirements:~~

16 (1) ~~The institution is eligible to participate in state and federal~~
17 ~~financial aid programs.~~

18 (2) ~~The institution maintains a program of professional~~
19 ~~preparation that has been approved by the Commission on Teacher~~
20 ~~Credentialing.~~

21 (b) ~~“Eligible school” means a school that meets any of the~~
22 ~~following criteria:~~

23 (1) ~~It serves a percentage of unduplicated pupils, as defined in~~
24 ~~Section 42238.02, as determined by the Superintendent of Public~~
25 ~~Instruction.~~

26 (2) ~~The institution has 20 percent or more teachers holding~~
27 ~~emergency-type permits including, but not limited to, any of the~~
28 ~~following:~~

29 (A) ~~Provisional internships.~~

30 (B) ~~Short-term staff permits.~~

31 (C) ~~Credential waivers.~~

32 (D) ~~Substitute permits.~~

33 (3) ~~It is a school that serves a rural area.~~

34 SEC. 3. ~~Section 69613 of the Education Code is amended to~~
35 ~~read:~~

36 69613. (a) ~~Program participants shall meet all of the following~~
37 ~~eligibility criteria prior to selection in the program and shall~~
38 ~~continue to meet these criteria, as appropriate, during the payment~~
39 ~~periods:~~

~~(1) The applicant has completed at least 60 semester units, or the equivalent, and is enrolled in an academic program leading to a baccalaureate degree at an eligible institution, has agreed to participate in a teacher internship program, or has been admitted to a program of professional preparation that has been approved by the Commission on Teacher Credentialing.~~

~~(2) The applicant is currently enrolled in, or has been admitted to, a program in which he or she will be enrolled on at least a half-time basis, as determined by the participating institution. The applicant shall agree to maintain satisfactory academic progress and a minimum of half-time enrollment, as defined by the participating eligible institution.~~

~~(A) Except as provided in subparagraphs (B) and (C), if a person participating in the program fails to maintain at least half-time enrollment, as required by this article, under the terms of the agreement pursuant to paragraph (2), the loan assumption agreement shall be invalidated and the participant shall retain full liability for all student loan obligations. This subparagraph shall not apply if the participant is in his or her final semester or quarter in school and has no additional coursework required to obtain his or her teaching credential.~~

~~(B) Notwithstanding subparagraph (A), if a program participant is unable to maintain at least half-time enrollment due to serious illness, pregnancy, or other natural causes, or is called to active military duty status, the participant is not required to retain full liability for the student loan obligation for a period not to exceed one calendar year, unless approved by the commission for a longer period.~~

~~(C) If a natural disaster prevents a program participant from maintaining at least half-time enrollment due to the interruption of instruction at the eligible institution, the term of the loan assumption agreement shall be extended for a period not to exceed one calendar year, unless approved by the commission for a longer period.~~

~~(3) The applicant has been judged by his or her postsecondary institution, school district, or county office of education to have outstanding ability on the basis of criteria that may include, but need not be limited to, any of the following:~~

~~(A) Grade point average.~~

~~(B) Test scores.~~

1 ~~(C) Faculty evaluations.~~

2 ~~(D) Interviews.~~

3 ~~(E) Other recommendations.~~

4 ~~(4) The applicant has received, or is approved to receive, an~~
5 ~~educational loan from a program approved by the Student Aid~~
6 ~~Commission.~~

7 ~~(5) The applicant has agreed to teach full time for at least four~~
8 ~~consecutive academic years, or on a part-time basis for the~~
9 ~~equivalent of four full-time academic years, after obtaining a~~
10 ~~teaching credential in a public elementary or secondary school in~~
11 ~~this state, in a subject area that is designated as a current or~~
12 ~~projected shortage area by the Superintendent of Public Instruction,~~
13 ~~or, on the date the teacher is hired, at an eligible school.~~

14 ~~(6) The applicant has demonstrated financial need.~~

15 ~~(b) An agreement shall remain valid even if the subject area~~
16 ~~under which an applicant becomes eligible to enter into an~~
17 ~~agreement ceases to be a designated shortage field by the time the~~
18 ~~applicant becomes a teacher.~~

19 ~~(c) For the purposes of calculating eligible years of teaching for~~
20 ~~the redemption of an award, the inclusion by the Superintendent~~
21 ~~of Public Instruction of a school on a list prepared pursuant to~~
22 ~~Section 69613.1 shall apply retroactively from the date the school~~
23 ~~first opened.~~

24 ~~(d) A person participating in the program pursuant to this section~~
25 ~~shall not enter into more than one agreement.~~

26 ~~(e) A person participating in the program pursuant to this section~~
27 ~~shall not owe a refund on any state or federal educational grant or~~
28 ~~have defaulted on any student loan.~~

29 ~~SEC. 4. Section 69613.1 of the Education Code is amended to~~
30 ~~read:~~

31 ~~69613.1. On or before January 1 of each year, the~~
32 ~~Superintendent of Public Instruction shall furnish the commission~~
33 ~~with all of the following:~~

34 ~~(a) A list of teaching fields that have the most critical shortage~~
35 ~~of teachers. The Superintendent shall review this list annually and~~
36 ~~revise the list as he or she deems necessary. The list of shortage~~
37 ~~areas furnished pursuant to this subdivision shall include the state~~
38 ~~special schools as a category separate from special education.~~

39 ~~(b) A list of schools that serve a large population of pupils from~~
40 ~~low-income families, as determined by eligibility for supplemental~~

1 ~~funding under the local control funding formula or according to~~
2 ~~standards the Superintendent deems appropriate.~~

3 ~~(e) A list of schools with a high percentage of teachers holding~~
4 ~~emergency-type permits. The list shall be established according~~
5 ~~to criteria determined by the Superintendent.~~

6 ~~(d) A list of schools serving rural areas. The list shall be~~
7 ~~established according to standards deemed appropriate by the~~
8 ~~Superintendent.~~

9 ~~SEC. 5. Section 69613.7 of the Education Code is repealed.~~

10 ~~SEC. 6. Section 69613.7 is added to the Education Code, to~~
11 ~~read:~~

12 ~~69613.7. In addition to the amounts set forth in subdivision (a)~~
13 ~~of Section 69613.4, for each of the four years of classroom~~
14 ~~instruction referenced in that subdivision, loan assumption benefits~~
15 ~~shall be granted as follows:~~

16 ~~(a) One thousand dollars (\$1,000) of additional liability per year~~
17 ~~shall be assumed for a person who holds a credential appropriate~~
18 ~~for teaching, and who teaches mathematics, science, or special~~
19 ~~education.~~

20 ~~(b) One thousand dollars (\$1,000) of additional liability per year~~
21 ~~shall be assumed for a person who teaches in a school in the lowest~~
22 ~~two deciles on the Academic Performance Index rankings.~~
23 ~~Eligibility for the benefit set forth in this subdivision shall be~~
24 ~~limited to a person who holds a credential appropriate for teaching,~~
25 ~~and who teaches mathematics, science, or special education.~~

26 ~~(c) Not more than a total of five million dollars (\$5,000,000)~~
27 ~~shall be expended in any academic year for purposes of this section.~~

28 ~~(d) The commission shall award benefits payable under this~~
29 ~~section upon receipt of all documentation necessary to establish~~
30 ~~eligibility for the additional loan assumption benefits. Payments~~
31 ~~shall be made to applicants in the order that full documentation is~~
32 ~~received until the five million dollars (\$5,000,000) authorized by~~
33 ~~subdivision (c) has been expended.~~

34 ~~SEC. 7. Section 69613.8 of the Education Code is repealed.~~

35 ~~SEC. 8. Section 69615.4 of the Education Code is amended to~~
36 ~~read:~~

37 ~~69615.4. The commission shall report annually to the~~
38 ~~Legislature regarding all of the following, on the basis of sex, age,~~
39 ~~and ethnicity:~~

40 ~~(a) The total number of program participants.~~

1 ~~(b) The number of agreements entered into with juniors, seniors,~~
2 ~~students enrolled in teacher training programs, and persons who~~
3 ~~agree to enroll in teacher internship programs.~~

4 ~~(c) The number of participants who agree to teach in a subject~~
5 ~~matter shortage area.~~

6 ~~(d) The number of participants who agree to teach in schools~~
7 ~~serving rural areas.~~

8 ~~(e) The number of participants who agree to teach in schools~~
9 ~~with a high percentage of teachers holding provisional internship~~
10 ~~permits.~~

11 ~~(f) The number of participants who receive a loan assumption~~
12 ~~benefit, classified by payment year.~~

13 ~~(g) The number of out-of-state teachers who enter into~~
14 ~~agreements.~~

15 ~~(h) The number of participants who have participated in teacher~~
16 ~~internship programs, classified by school district or county office~~
17 ~~of education.~~

18 ~~SEC. 9. Section 69615.9 is added to the Education Code, to~~
19 ~~read:~~

20 ~~69615.9. The commission shall continue to implement the~~
21 ~~program as it read on January 1, 2015, for the allocation of funds~~
22 ~~for loan assumption agreements made before January 1, 2015, and~~
23 ~~collecting payments from former program participants required to~~
24 ~~repay program costs as of January 1, 2016, for failing to satisfy~~
25 ~~the program's requirements.~~